

UNITED STATES DISTRICT COURT
for the

Eastern District of Michigan

United States of America

v.

Omar Matiel TREJO-SALIDO

Case: 2:24-mj-30216

Assigned To : Unassigned

Assign. Date : 6/4/2024

Case No. Description: RE: OMAR MATIEL
TREJO-SALIDO (EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 27, 2024 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:*Code Section*

Title 8, United States Code, Section 1326(a)

Offense Description

Unlawful Re-Entry Following Removal from the United States

This criminal complaint is based on these facts:

On or about March 27, 2024, in the Eastern District of Michigan, Southern Division, Omar Matiel TREJO-SALIDO, an alien from Mexico, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about May 18, 2019, at or near Nogales, Arizona and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☐ Continued on the attached sheet.

Complainant's signature

Lonnie Harper, Deportation Officer, ICE

Printed name and title

Sworn to before me and signed in my presence.

Date: June 4, 2024City and state: Detroit, MI

Judge's signature

Hon. R. Steven Whalen U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Lonnie Harper, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security. I am assigned to the Fugitive Operation Unit. I have served with U.S. Immigration and Customs Enforcement since December 2015. I have successfully completed the Immigration Officers Basic Training Course at the Federal Law Enforcement Training Center in Glynco, Georgia. This affidavit is submitted in support of a finding of probable cause and therefore is only a summary of the facts known to me.
2. The information set forth below is for the limited purpose of establishing probable cause. Therefore, this affidavit does not necessarily contain all of the information collected during my investigation.
3. Omar Matiel TREJO-SALIDO, is a citizen and national of Mexico, with no legal status in the United States.
4. On February 28, 2009, United States Border Patrol at or near Ajo, Arizona apprehended TREJO-SALIDO and voluntarily returned him to Mexico.
5. On January 23, 2010, United States Border Patrol apprehended TREJO-SALIDO at or near Tucson, Arizona and voluntarily returned him to Mexico.
6. On November 18, 2010, United States Border Patrol apprehended TREJO-SALIDO at or near Nogales, Arizona and voluntarily returned him to Mexico.
7. On June 22, 2012, United States Border Patrol apprehended TREJO-SALIDO at or near Ajo, Arizona. On June 24, 2012, United States Border Patrol in Tucson, Arizona served TREJO-SALIDO an I-860 Notice and Order of Expedited Removal. On the same day Border Patrol deported TREJO-SALIDO from Nogales, Arizona port of entry.

8. On March 27, 2013, United States Border Patrol apprehended TREJO-SALIDO at or near Ajo, Arizona. On March 28, 2013, United States Border Patrol served him a I-871 Notice of Intent / Decision to Reinstate Prior Order. On the same date Border Patrol deported TREJO-SALIDO to Mexico from Nogales, Arizona port of entry.
9. On April 30, 2013, United States Border Patrol apprehended TREJO-SALIDO at or near Ajo, Arizona, and served him a I-871 Notice of Intent / Decision to Reinstate Prior Order. The case was submitted for prosecution for violation of Title 8 USC §1325 (Illegal Entry).
10. On May 1, 2013, the United States District Court of Arizona convicted TREJO-SALIDO of 8 USC §1325 Illegal entry and sentenced him to 5 days' incarceration.
11. On May 3, 2013, United States Border Patrol deported TREJO-SALIDO to Mexico from San Luis, Arizona port of entry.
12. On July 15, 2013, United States Border Patrol apprehended TREJO-SALIDO at or near Ajo, Arizona, and served him a I-871 Notice of Intent / Decision to Reinstate Prior Order. The case was submitted for prosecution for violation of Title 8 USC §1325 (Illegal Entry).
13. On July 17, 2013, the United States District Court of Arizona convicted TREJO-SALIDO of 8 USC §1325 Illegal Entry, and sentenced him to 105 days' incarceration.
14. On October 26, 2013, United States Border Patrol deported TREJO-SALIDO to Mexico from Eagle Pass, Texas port of entry.
15. On November 3, 2016, ICE ERO in San Bernadino, California arrested TREJO-SALIDO and served him a I-871 Notice of Intent / Decision to Reinstate Prior Order.

16. On November 3, 2016, the Superior Court of California - County of San Bernardino convicted TREJO- SALIDO of Plant/ Cultivate/ Etc. Marijuana and sentenced him to 100 days in jail, and 3 years' probation.
17. On November 3, 2016, the Superior Court of California - County of San Bernardino convicted TREJO-SALIDO of Possession of a bird/ animal for fighting and sentenced him to 100 days in jail, and 3 years' probation.
18. On November 4, 2016, ICE deported TREJO-SALIDO to Mexico from San Ysidro, California port of entry.
19. On September 4, 2018, Scottsdale Police Department in Arizona arrested TREJO-SALIDO for aggravated assault with a weapon and domestic violence. Charges were dropped.
20. On October 18, 2018, ICE ERO in Phoenix, Arizona arrested TREJO-SALIDO and served him a I-871 Notice of Intent / Decision to Reinstate Prior Order. The case was submitted for prosecution for violation of Title 8 USC §1326(a) (Illegal Re-entry).
21. On February 25, 2019, the United States District Court of Arizona convicted TREJO-SALIDO of 8 USC §1326(a) Illegal Re-entry and sentenced him to 7 months' in carceration.
22. On May 18, 2019, ICE deported TREJO-SALIDO to Mexico from Nogales, Arizona port of entry.
23. On February 15, 2021, United States Border Patrol apprehended TREJO-SALIDO at or near Ajo, Arizona and expelled him under Title 42.
24. On February 23, 2022, the Superior Court of California - County of San Bernardino convicted TREJO-SALIDO of Probation Violation and sentenced him to 210 days in jail with a credit for 108 days.

25. On March 27, 2024, Warren Police Department in Michigan arrested TREJO-SALIDO for aggravated assault with a weapon and domestic violence.
26. On March 29, 2024, ICE Deportation Officer Alaez received a phone call from Macomb County Sheriff Department in reference to TREJO-SALIDO, (A#XXX XXX 594). Officer Alaez placed a detainer on TREJO-SALIDO the same day.
27. On May 29, 2024, ICE CAP Officers brought TREJO-SALIDO to the Detroit office for processing.
28. TREJO-SALIDO's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results revealed that TREJO-SALIDO is a citizen of Mexico with the foregoing immigration history who has been previously removed from the United States. The record checks did not provide any evidence that TREJO-SALIDO legally entered the United States or had been issued any document or status that would allow him to enter or remain the United States.
29. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
30. On May 29, 2024, the official Immigration file and system-automated data were reviewed and showed that TREJO-SALIDO, Alien File No. XXX XXX 594, did not obtain the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a).

31. Based on the above information, I believe there is probable cause to conclude that TREJO-SALIDO, is an alien who was found in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a).



Lonnie Harper, Deportation Officer
United States Department of Homeland Security
Immigration and Customs Enforcement

Subscribed and sworn to before me in my
presence and/or by reliable electronic means.



Honorable R. Steven Whalen
United States Magistrate Judge

June 4, 2024